AFHC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(28)

मामला क्रमांक M.A.C. No. 1057/2007 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

MISC. APPEAL (CLAIM) NO.1057/2007

APPELLANT Ramkumar Sahu, s/o Itwari Ram Sahu, aged about 40 years, Caste Teli, R/o Saragaon, near Kasturba Trust Tahsil and District Raipur (C.G).

Versus

RESPONDENTS

1. Aajuram Verma, s/o Jagdish Prasad Verma, r/o village Kukurdi, Distt. Raipur (C.G.
2. The New India Assurance Co. Ltd., through Divisional Manager, Division Office No.2, Kachahari Chowk, Raipur, Distt. Raipur (C.G)

D.B: HON'BLE SHRI L.C. BHADOO, J, &
HON'BLE SHRI SUNIL KUMAR SINHA, J.

ORAL ORDER
(18.09.2007)

L.C.Bhadoo, J,

Shri C.R. Sahu, counsel for the appellant.

The appeal is barred by 68 days' limitation. It is heard on admission as well as on limitation.

The claimant has preferred this appeal u/s 30 of the Workmen Compensation Act 1923 being aggrieved by the order dated 25.4.2007 passed by the Commissioner for Workmen Compensation, the Labour Court, Raipur in case No.240/WC Act/2005 (Non-fatal) whereby the learned commissioner for workmen compensation, after assessing the monthly wages as Rs.2200/- per month and determining 44 years age of

XI-HC—78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(27)

मामला क्रमांक M.A.(C) No.1057/07 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

the claimant, as per provisions of section 4(1)(b) of the Workmen Compensation Act, 1923, reached to the conclusion that 60% of Rs.2200/- is Rs.1320/- by applying relevant factor 172.52 and considering the disability to the extent of 50%, assessed the compensation to the tune of Rs. 1,13,863/-.

Learned counsel for the appellant has not been able to argue that how the award is on the lower side. More over, as per the provisions of Section 30 of the Workmen Compensation Act 1923, an appeal is maintainable on the substantial question of law. Counsel for the appellant has not been able to raise any substantial question of law in this appeal. Moreover, no satisfactory reasonable cause has been shown for condonation of delay in filing this appeal.

Therefore, the appeal being devoid of merit, the same is liable to be and is hereby dismissed on merits as well as on limitation, at the motion stage.

Sd/-
L.C. Bhadoo
Judge

Sd/-
Sunil Kumar Sinha
Judge